

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.24602 OF 2005

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Dated: 08-06-2006

Between:

The Commissioner . . .Petitioner

And

The Govt. of A.P. and another . . .Respondents

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THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.24602 OF 2005

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ORDER: (per BPR, J)

Heard both sides and at their request, the main writ petition is taken up for disposal.

The petitioner, which is the Municipal Corporation, seeks to assail the orders, dated 01-09-2005, passed in O.A.No.5056 of 2005 by the Andhra Pradesh Administrative Tribunal, Hyderabad, at an interlocutory stage, granting suspension of proceedings, dated 29-08-2005, suspending the 2nd respondent.

Learned counsel for the petitioner seeks to assail the same on various grounds, especially, contending that having regard to the nature of allegations and the charge made against

2nd respondent/applicant, the question of his suspension does not arise, and therefore, the order of the Tribunal is liable to be set aside.

Having considered the submissions and perused the material, we are of the view that the impugned orders passed by the Tribunal are interlocutory in nature and on perusing the material thereon, we observed that even on the earlier occasion, similar orders were passed on the same allegation, and further, there was a direction by the Government for reinstatement of the 2nd respondent and other co-employee, who was involved in the enquiry. Having regard to the same, we do not see any merit and we deem it more apt to direct the Tribunal to dispose of the main O.A. itself at the earliest.

The writ petition is accordingly dismissed. It is stated that the petitioner has already filed vacate stay petition in O.A. pending before the Tribunal. Having regard to the same, it shall be open to the petitioner to pursue the said application. There shall be no order as to costs.

(B.PRAKASH RAO, J)

8th JUNE, 2006.

(RAMESH RANGANATHAN, J)

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